



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

PRIVATE CORPORATIONS—TRANSFER OF CORPORATE STOCK—REMEDIES TO COMPEL REGISTER OF TRANSFER.—*Held*, mandamus does not lie to compel a private corporation to register on its books a transfer of corporate stock. *Spangenberg v. Western, etc., Iron Co.* (Cal.), 135 Pac. 1127.

A transferee of shares of capital stock may always maintain an action at law for damages when the corporation wrongfully refuses to register the transfer. *Baltimore Ry. Co. v. Sewell*, 35 Mo. 238, 6 Am. Rep. 402; *Protection Life Ins. Co. v. Osgood*, 93 Ill. 69. On the ground that damages at law afford an inadequate remedy, courts of equity have taken jurisdiction to compel a corporation to register the transfer. For various reasons the shares themselves often furnish the motive of the purchase. *Feckheimer v. Nat. Exch. Bank*, 79 Va. 80; *Cushman v. Thayer Mfg. Co.*, 76 N. Y. 365, 31 Am. St. Rep. 437; *Scherk v. Montgomery*, 81 Miss. 426, 33 So. 507; *Madison v. Price*, 79 Kan. 289, 100 Pac. 280.

By the weight of authority, mandamus is not the proper remedy. *Shipley v. Mechanics' Bank*, 10 Johns. (N. Y.) 484; *Stackpole v. Seymour*, 127 Mass. 104; *Freon v. Carriage Co.*, 42 Ohio St. 30, 31 Am. Rep. 794; *State ex rel. Galbraith v. Peoples Association*, 43 N. J. L. 389. *Contra*, in some jurisdictions, where the duty to register a transfer is specially prescribed by law, and an ordinary action for damages would afford incomplete relief. *Slemmons v. Thompson*, 23 Ore. 215, 31 Pac. 514; *Dennett v. Acme Mfg. Co.*, 106 Me. 476, 76 Atl. 922; *Amidon v. Elevator Co.* (S. D.), 132 N. W. 166. A distinction has been made between quasi-public and purely private corporations, holding that mandamus may be issued to an officer of the former, as he is, in a sense, a public officer. *The State ex rel. Townsend v. McIver*, 2 S. C. 25. This distinction would seem unsound because in either case the duty owed the transferee is equally private. In Georgia it is held that mandamus will lie where the shares have been sold at a judicial sale, to compel the president of the corporation to transfer them to the purchaser on the books of the company, on the ground that he is an officer of the court *pro hac vice*. *Bailey v. Strockeher*, 38 Ga. 259. Under other circumstances the writ is denied. *Bank of Ga. v. Harrison*, 66 Ga. 696. In no case will mandamus lie where the legal right to the shares is not clear and undisputed. *Townes v. Nichols*, 73 Me. 515; *Burnsville Turnpike Co. v. State ex rel. McCalla*, 119 Ind. 382, 20 N. E. 421.

POLICE POWER—STERILIZATION LAWS—VALIDITY.—A statute providing for the sterilization of feeble-minded persons (including idiots, imbeciles and morons), epileptics, rapists, certain criminals and defectives, confined in the public institutions of the state. *Held*, invalid because an unreasonable classification. *Smith v. Board of Examiners of Feeble-Minded* (N. J.), 88 Atl. 963.

In this case, the court, without passing on the power of the state to subject its citizens to surgical operations to render procreation by them impossible, declared the statute invalid because by its terms it embraced only such individuals of the class named as were confined in the public institutions of the state, such being an arbitrary classification, bearing no reasonable relation to the object of such police